

# BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

## MEETING MINUTES

The Board for Professional Soil Scientists and Wetland Professionals met on April 17, 2007, at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia, with the following members present:

Robert B. Atkinson  
Nancy G. Barker  
W. Lee Daniels  
Penelope J. Melino  
Carl Peacock, Jr.

Board members David L. Davis and John M. Galbraith were not present at the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Karen W. O'Neal, Deputy Director of Licensing and Regulation  
Mark N. Courtney, Executive Director  
Marian N. Brooks, Program Administrator  
Michelle Gowen, Administrative Assistant  
Carol Mitchell, Director of Alternative Dispute Resolution (ADR)  
Doug Schroder, Director of Adjudication

Elizabeth B. Peay, Assistant Attorney General was present for the meeting.

Finding a quorum of the Board present, Dr. Daniels, Vice-Chair, called the meeting to order at 10:35 a.m.

Mr. Peacock moved to approve the agenda. Ms. Barker seconded the motion which was unanimously approved by members: Atkinson, Barker, Daniels, Melino, and Peacock.

Mr. Courtney introduced the new citizen member of the Board, Penelope J. Melino, and the new Assistant Attorney General, Elizabeth Peay, and welcomed them on behalf of the Board.

Ms. Barker moved to approve the minutes from the May 4, 2006, Board meeting as well as the March 16, 2007, Informal Fact-Finding Conference. Mr. Peacock seconded the motion which was unanimously approved by members: Atkinson, Barker, Daniels, Melino, and Peacock.  
**Public Comment Period** – No comments were made to the Board members.

### Call to Order

### Approval of Agenda

### Welcome and Introduction of New Citizen Member and Assistant Attorney General

### Approval of Minutes

### Public Comment Period

Mr. Courtney summarized, and the Board members reviewed, the following legislation considered by the General Assembly during the 2007 Session:

**Discussion of 2007  
Legislation**

- HB 2839 – requirements for wetland delineator certification. Mr. Courtney provided the Board with an update of actions by staff to implement HB 2839.

The Board also reviewed and discussed correspondence from the Virginia Association of Wetland Professionals regarding HB 2839 and agreed by consensus that no response was necessary.

- HB 1950, HB 1951, HB 2182, and HB 2950 – related to controversy over who can design certain residential onsite sewage systems (AOSE's or PE's).
- HB 3134 and SB 1270 – changes to the Onsite Sewage System Regulatory Program at the Virginia Department of Health (VDH) and transfer of the Authorized Onsite Soil Evaluator regulatory program from VDH to the Department of Professional and Occupational Regulation effective July 1, 2009.

Ms. Peacock nominated Dr. Daniels to be the Chair for the term of July 1, 2007, to June 30, 2008. Ms. Barker seconded the motion which was unanimously approved by members: Atkinson, Barker, Daniels, Melino, and Peacock.

**Election of Officers**

Dr. Atkinson nominated Ms. Barker to be the Vice-Chair for the term of July 1, 2007, to June 30, 2008. Dr. Daniels seconded the motion which was unanimously approved by members: Atkinson, Barker, Daniels, Melino, and Peacock.

Mr. Courtney updated the Board members on the *Wetlands 2007* meeting to be held in Williamsburg, Virginia, August 28 – 30, 2007.

**Discussion of Wetlands  
2007**

Dr. Atkinson left the meeting at 11:15 a.m.

**Departure of Dr. Atkinson**

Mr. Schroeder and Ms. Mitchell provided the Board members with training on the *Compliance and Investigations Process*.

**Board Member Training**

The Board members were provided with the Board financial statements from February 2007 for informational purposes.

**Review Financial  
Statements**

The Board members were provided with the Department's Biennial Report for 2004-2006.

**Other Business**

Mr. Courtney provided the Board with information on the new location that the Department will be moving to later this year.

The Board members were provided with an article identifying new threats to wetlands.

The Board members reviewed an article on amphibian nurseries diminishing in Virginia.

Dr. Daniels informed the Board members that the Soil Scientists examination had been updated and administered in February 2007.

The Board members were provided with the Department's Biennial Report for 2004-2006.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest Forms**

There being no further business, the meeting was adjourned at 12:00 p.m.

**Adjournment**

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W. Lee Daniels, Vice Chair

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Jay W. DeBoer, Secretary